

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IKIA JOHNSON,

PLAINTIFF,

-AGAINST-

NEW YORK CITY AND POLICE OFFICER
JOSEPH VILLALTA, individually, and in his
capacity as a member of the New York City Police
Department.

**DECLARATION OF DUNCAN
PETERSON IN FURTHER
SUPPORT OF PLAINTIFF'S
MOTION FOR ATTORNEYS'
FEES & COSTS**

DEFENDANTS.

11- CV-06176 (ENV)(CLP)

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DUNCAN PETERSON declares, pursuant to 28 U.S.C. 1746 as follows:

1. I, along with Justin Delle Cave, represent Plaintiff Ikia Johnson ("Ms. Johnson") in the above-captioned caption. I am familiar with the facts and circumstances concerning the prosecution of this action, and I submit this declaration in support of Plaintiff's application, pursuant to 42 U.S.C. 1988 and Federal Rules of Civil precluded 54(d), for an Order awarding Plaintiff attorneys' fees and costs as the prevailing party in this litigation.
2. In the matter of Faulk v. City of Yonkers, 12-CV-5120 (S.D.N.Y. 2013) the agreed-upon hourly rate for plaintiff's counsel was \$450.00, which can be confirmed by Rory McCormick, counsel for the City of Yonkers.
3. Attached hereto as Exhibit 1 is a true and accurate copy of an excerpt from defendants letter to plaintiff in Hassan v. City of New York, 11-CV-5382, dated May 8, 2013.
4. Attached hereto as Exhibit 2 is a true and accurate copy of emails between Mr. Peterson and Mr. Kuruvilla.
5. Attached hereto as Exhibit 3 is a true and accurate copy of Ikia Johnson's medical records from St. John's Episcopal Hospital.

6. Attached hereto as Exhibit 4 is a true and accurate copy of excerpts from Ikia Johnson's deposition transcript.
7. Attached hereto as Exhibit 5 is a true and accurate copy of excerpts from Tayquan Williams' deposition transcript.
8. Attached hereto as Exhibit 6 is a true and accurate copy of excerpts from PO Villalta's deposition transcript.
9. Attached hereto as Exhibit 7 is a true and accurate copy of Ikia Johnson's medical records from North Shore LIJ Franklin Hospital.
10. Attached hereto as Exhibit 8 is a true and accurate copy of a letter from defendants to plaintiff, dated June 7, 2012.
11. Attached hereto as Exhibit 9 is a true and accurate copy of a letter from defendants to plaintiff, dated November 7, 2012.
12. Attached hereto as Exhibit 10 is a true and accurate copy of a letter from defendants to plaintiff, dated November 27, 2012.
13. Attached hereto as Exhibit 11 is a true and accurate copy of plaintiff's second set of discovery requests dated November 7, 2012.
14. Attached hereto as Exhibit 12 is a true and accurate copy of a letter from defendants to plaintiff, dated March 27, 2013.
15. Attached hereto as Exhibit 13 is a true and accurate copy of a letter from plaintiff to the Court, dated October 10, 2014.
16. Attached hereto as Exhibit 14 is a detailed breakdown of plaintiff's Attorneys Fees & Costs to reflect the work done in preparing the Reply Memorandum of Law, the Declaration of Duncan Peterson, dated November 3, 2014, and fourteen accompanying exhibits.

Dated: November 3, 2014

_____/s/_____
Duncan Peterson